

Saguache County Board of Commissioners met in regular session Tuesday, August 16, 2011 with the following present:

Sam Pace, Chairman  
Mike Spearman, Co-Vice Chair on phone  
Linda Joseph, Co-Vice Chair  
Wendi Maez, Co-Administrator  
Lyn Lambert, Co- Administrator  
Ben Gibbons, County Attorney  
Melinda Myers, Clerk and Secretary to the Board

**Employee Appreciation Presentation:**

Meeting called to order by Chair Pace at 9:07 A.M.

**Additions or Deletions to the Agenda.**

**Joseph moved to approve the agenda as amended. Spearman seconded the motion. The vote was three Ayes.**

**Reading and approval of minutes of August 2, 2011.**

**Joseph moved to approve the minutes of August 2, 2011 as amended. Spearman seconded motion. The vote was three Ayes.**

**Review of Mail and other correspondence:**

1. The Colorado State Board of Equalization sent notice of a Public Hearing to be held August 16, 2011 in Denver Colorado. (8/8/11)
2. ScSeed sent a letter asking the Saguache Board of County Commissioners to write a letter of support for the Town of Saguache to apply for GOCO funds to purchase the vacant lot next to the Ute heater to be turned into a Pocket Park as the final phase of the Saguache Downtown Revitalization Project. (8/9/11) Board will send a letter of support for the GOCO grant.
3. JoAnn Groff, Property Tax Administrator, sent the 2011 Final County Notice of Valuation for State Assessed Properties plus August 2011 Protest Narrative for County Assessors. (8/2/11)
4. Jackie Scheidegger sent an invitation to the Board of County Commissioners to attend the Grand Re-Opening of the Valley Wide Health Systems, Inc. Guadalupe Health Center in Antonito Colorado Monday August 15, 2011 from Noon to 2. (8/3/11)
5. President and Mrs. David Svaldi of Adams State College sent an invitation to the Board of County Commissioners to attend the North Campus Transformation Grand Opening Celebration Thursday August 25, 2011 to thank the students of Adams State College for their support. (8/8/11)
6. John Hickenlooper, Governor of the State of Colorado, sent notice that the month of September was proclaimed "Older Workers Month". (8/10/11)

7. Tony Hernandez, Director of Division of Local Government, sent a letter announcing the retirement of Deb Downs, DOLA Regional Manager for Saguache County. (8/10/11)
8. Joseph C. Talbott, Jr., P.E., CWP, Engineering Section sent a copy of an inspection report that was performed on June 28, 2011 for Homestake Mining Company, Pitch Reclamation Project (CDPS No CO-0022756).
9. Robert L. Allen sent an email in regards to numerous junk cars and other debris strewn about one of the properties in the Ewing Ranch Estates. Allen requested the Saguache Board of County Commissioners use their authority to force a cleanup of lot #96 and also enforce the appropriate codes on other properties in The Ewing Ranch Estates. (8/9/11)
10. The Town of Saguache sent a postcard to the Board of County Commissioners to participate in developing a Town of Saguache Source Water Protection Plan Monday, August 22, 2011 at 7:00 PM at the Saguache Town Hall. The meeting will be for reviewing and editing the Draft Plan. (8/12/11) Spearman will attend.
11. Colorado Dept. of Public Health sent a letter on the Solid Waste Inspection Worksheet concerning the Saguache County Landfill. (8/15/11)
12. State of Colorado Public Health sent a letter in regards to the Facility Inspection of the Saguache County Landfill on July 29, 2011. (8/15/11)
13. Robert Allen sent an email with a complaint concerning a property in the Ewing Ranch Estates lot #96. (8/9/11) Maez is working on the complaint and Mr. Allen has been notified.

**Introduction of Guests:** Matie Belle Lakish – Crestone Eagle; Jim & Denise Earing; Kim Smoyer – ScSEED; Andrew Archuleta – FS/BLM; Bill McClure; Pete McGee – SLV GIS; Lisa Cyriacks; Richard Drake – Republican Chair; Steve Carlson; Michael Lobato – Republican Vice-Chair; JW. Burton – Libertarian Chair; and Randy Arredondo – Democratic Chair.

### **Commissioners Reports:**

**Sam Pace** reported:

- Aug 10 - Attended County R.A.C. Meeting
- Aug 10 - Attended CCI Southern District Meeting in Walsenburg
- Calls about title 3 funds
- Aug 15 - Board of Equalization hearing

**Linda Joseph** reported:

- Aug 9 - Conducted the Department Head Performance Evaluation reviews by the BOCC.
- Aug 11 - Attended a lunch meeting of Senator Udalls Aides Erin Minks and Wendy Adams, with Chris Canaly and Matthew Crowley for an update on the their request for support in pursuing a buy-out of the mineral estate under the Baca Wildlife Refuge.
- Aug 12 - Attended the Colorado Counties, Inc, Southern District meeting in Walsenberg, along with Commissioner Pace.
- Aug 15 - Board of Equalization hearing.
- Had a call from Jim Dewey, who had questions and comments on getting properties on the tax rolls, and, the proposed Crestone Fire & EMS District.

**Mike Spearman** reported:

- Aug 9 – Attended the Board work session
- Aug 6 – Attended the Crestone Music Festival

**Wendi Maez & Lyn Lambert** – Co-administrator report:

- The Town of Saguache/ScSeed has requested a letter of support for a GOCO grant to purchase vacant lot south of the Ute Theatre. The letter is written and ready for signature.
- A letter of engagement has been sign for the use of the Commissioners room for Thursday, September 15<sup>th</sup> for the Rural Philanthropy Days.
- Veteran's Report for July 2011, presented and approved for signature.
- The first of our budget meetings were held and things went well. We will need to have a few more meetings as we did not have everyone's budget at the time. Will be ready for presentation in October.
- Received a letter from Colorado Office of Economic Development and the Colorado Office of Film/Television/Media about a meeting with Donald Zuckerman, new Film Commissioner, in Alamosa on Sept 6 in the Alamosa Commissioner's room at 1:00 with a reception from 5-7.
- County Picnic will be noon to 2:00 on Aug 18.

**Pace moved to retain \$15,000 in old Title III funds for possible use by Search and Rescue through the Sheriff's office. Joseph seconded the motion. The vote was three Ayes.**

- Sheriff Norris presented a proposal for Search and Rescue for Title III funds.

**Wendi Maez - Land Use Administrator**

**Joseph moved to approve the Subdivision Exemption for Delmar Dean and Gwen Ellen Groen on W1/2 27-42N-8E. Spearman seconded the motion. The vote was three Ayes.**

- Delmar Dean and Gwen Ellen Groen, Subdivision Exemption request  
A tract of land within the W1/2 27-42N-8E containing 40 acres.  
This request is to subdivide a tract of land containing 40 acres into 2 separate tracts that will contain 35.104 acres and 3.849 acres.  
Access – County Road 50  
Electricity – Xcel and solar  
Telephone – Centurylink  
Water – Water Well  
Sewage Disposal – Evaporation Lagoon – County permit #290  
Present use of land – group home/counseling  
Proposed use of land – group home/counseling  
This property is the existing “Boys Ranch Group Counseling” west of Hwy 285 off of County Road G.  
The property has been used for a group home for years since the early 70's/80's. The use will not change, the Groen's would just like to divide off 3.849 acres of the property to sell to Ron McClure but the use will remain the same under Mr. McClure's ownership also. The SCPC recommended unanimous support of this request as presented at their regular meeting on July 21, 2011.

**Spearman moved to approve the consolidation for Curtis Lee English and Lisa A. Cyriacks on Baca Grande Chalets Unit I, Lots 501, 502 and 503C. Joseph seconded the motion. The vote was three Ayes.**

- Curtis Lee English and Lisa A. Cyriacks – Lot Consolidation request to consolidate Baca Grande Chalet Unit One Lots 501, 502 and 503C.  
The CBPC recommended unanimous support of this request during their regular meeting on August 10, 2011.
- Crestone Youth Plaza – Maez had a request from the lady that lives across the street from the Crestone Youth Plaza to come before the Board to express her concerns about this project. Maez spoke with CYP and they feel they have addressed the concerns with the County and the BGPOA and do not want to come back before the Board. The Board decline to revisit the issue. Maez will write a letter for Pace to sign to be sent to the complainant.
- Crestone End of Life Project Conditional Use is up and there are no complaints. The Board approved it for another year.
- Solar Reserve is almost ready to submit their 1041, which would put the public hearing during harvest time and they think they may want to wait till November.

**Joseph moved to enter into Executive Session at 10:16 A. M. for personnel purposes in the Clerk's office under CRS 24-6-402(4)(f)(I). Spearman seconded the motion. The vote was three Ayes.**

**Pace moved to return to regular session at 10:30 A. M. Spearman seconded the motion. The vote was three Ayes.**

Land Use Part Two

**Spearman moved to approve the Conditional Use request for James F. Earing Jr. on Ewing Ranch, Lot 65. Joseph seconded the motion. The vote was three Ayes.**

- James F. Earing Jr. – Conditional Use Request – Lot 65 Ewing Ranch.  
This request is to put a new home on the property and keep existing cabin for possible rentals during hunting season.  
Property contains 35.63 acres  
Access – Black Burn Drive  
Telephone – Centurylink  
Electricity – Solar  
Water – Permit #206063 – Domestic use only  
Sewage – Permit #899 – will need to apply and install a system if approved  
Present Use – Residential  
Proposed Use – 2 Residences on property  
One letter in support of this project has been received.  
The SCPC recommended unanimous support of this request as presented at their regular meeting on June 30, 2011.
- Maez will be filing a deed to get all County owned property in to the same name.

Break

**Ben Gibbons - County Attorney**

- Hollenbeck case mediation is next week and Gibbons needs to look at the Consolidation plat. Spearman asked for paperwork on the claims of the neighboring property owners, which Gibbons get together.
- Recall election plans are moving forward and Gibbons has been working with the election officials in El Paso County, as they have agreed to help determine the sufficiency of the petition. They could do the work from their offices. They are putting together a plan for running of the actual election should it proceed, including costs. The timing of the election is contingent on other elections in both Counties and the timing of the petition sufficiency.
- Gessler case has been decided and the plan is for the SOS to come to Saguache on Aug 29 to do a hand review of the ballots. This led to individuals submitting CORA requests to view and copy the voted ballots, which would lead to the possibility of voters' intent becoming known. Gibbons will go to the judge for clarification on his order if it means that ballots are now public documents, or file a motion for reconsideration.
- M650 Ballot Scanner is covered by Marks CORA suit. It will be needed for the 2011 election, so Gibbons will file with the Court to have it removed from the protective order.
- Marks CORA suit status is that ES&S is subject to Colorado law and needs to be deposed and they may possibly be in contempt of court. Gibbons will stay on top of the developments in the case.
- Marks has submitted another CORA requested for the voted ballots again. Clerk Myers has denied the request as it is not in the best interest of the voters of Saguache County, due to the ability to determine how individuals voted.

Adjourned for Lunch at 12:01 P. M.

Resumed meeting at 1:00 P. M.

**Randy Arredondo –**

- Contract with Amerigas for propane was signed.
- Update on Liberty gate parking area – the project is done and the gate and parking area is well onto the Park road itself. “No parking” signs are still there to protect the property owners.

<b>Pace moved to select the full payment amount for Secure Rural Schools monies and 10% for Title II and 5% Title III. Spearman seconded the motion. The vote was three Ayes.</b>
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- DOLA needs to know what the split on the Title II & Title III monies will be.
- Tire shredding proposal was presented and discussed.

<b>Joseph moved to convene as Saguache County Board of Social Services at 1:33 P.M. Pace seconded the motion. The vote was three Ayes.</b>
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**Jeannie Norris – Director of Social Services:**

- There were 28 active TANF cases during the month of July. Food assistance cases continue the sharp upward climb, as expected, from 555 to 601 cases. There were 27 aid-to-the-needy-disabled cases, and old-age pension cases dropped by three to 95 active cases.
- The Child and Adult Protection Unit had seven child protection referrals, five of which were accepted for investigation. The Unit continues to have eleven dependency and neglect court cases and fifteen children in placement. There is one open adult protection case. Ten cases have been concluded and closed, leaving a total of sixty-seven open child protection cases.
- Year-to-date collections for the IV-D Unit have dropped slightly by three percent, from \$318,454.11 in 2010, to \$307,580.58 for the same period in 2011. Economic conditions have prompted significant drops in many counties. The legal technicians are receiving and processing higher than usual requests for review and adjustments of child support orders, as the ability to pay decreases.
- There will be a TEFAP commodity distribution on August 29, 30 and 31 so that our clients may have food prior to the holiday weekend. The Emergency Food Bank facility is being finished at this point, and we can stock. We have already served nine households, and discover that five of those were not aware that there was an emergency food bank. We have a designated person on call at all times outside of office hours.
- Three of our staff attended “Elder Law Day”, and brought back updated manuals and regulations which will serve our clients well.

**Joseph moved to enter into Executive Session at 1:52 A. M. for personnel purposes in the Clerk’s office under CRS 24-6-402(4)(f)(I). Spearman seconded the motion. The vote was three Ayes.**

**Pace moved to return to regular session at 2:08 A. M. Spearman seconded the motion. The vote was three Ayes.**

**Joseph moved to approve the renewal of the Town of Crestone lease for Social Services offices in Crestone. Spearman seconded the motion. The vote was three Ayes.**

**Joseph moved to approve the contract with accountant Dorothy Ackerman. Pace seconded the motion. The vote was three Ayes.**

**Pace moved to approve the renewal of the year 2 of the Core Services Agreement with Colorado State. Joseph seconded. The vote was three Ayes.**

**Pace moved to adjourn the Saguache County Board of Social Services and return to regular meeting at 2:16 P.M. Spearman seconded the motion. The vote was three Ayes.**

**Kim Smoyer - ScSEED Economic Development Update**

- Rural Philanthropy Days, government sessions are on Sept 15<sup>th</sup>.
- Saguache Downtown extension request from contractor has been denied by the Town. A default has been placed on the current contractor.
- The Saguache Chamber is developing a marketing plan.
- Work on grants is ongoing.
- ScCEED is moving forward to pursue grants for Crestone revitalization.
- Colorado Creative Grant matching of \$4000.00 for the Theater was awarded.

**Andrew Archuleta -USFS/BLM month discussion**

- Nolan pit archeological project has gone well and he thanked Arredondo at Road and Bridge for all of his assistance.
- Liberty Road parking area and gate project is done. There will be some signs for the hunters.
- The money and bids have been awarded and the work should start soon.
- RAC meeting covered a lot of ground, and several projects had to be tabled to next year.
- Cottonwood Creek temporary access agreement with Manitou Foundation will be signed soon to provide access to the Forest from the Baca, to study use patterns and impacts..
- Kerber Creek area had some illegal roads closed last year and got complaints, but these were never FS roads.
- Solar EIS received thousands of comments and a draft EIS should come out in the spring. The resource map is still being worked on.
- Sales Tax grant for the Cochetopa Scenic Byway is being supported by surrounding areas.

Break

**Joseph moved to convene as the Housing Board at 2:35 P.M. Pace seconded the motion. The vote was three Ayes.**

Evan Samora, Housing Director Monthly update

**Pace moved to adjourn the Housing Board and return to regular meeting at 2:55 P.M. Joseph seconded. The vote was three Ayes.**

Pace called the Redistricting Public Hearing to order at 4:00 P.M.

**Pete McGee – San Luis Valley GIS/GPA**

- Commissioners Redistricting Public Hearing presentation. Final approval of the Redistricting Plan will be made on September 20 at 3:00.

**Pace moved to open the public comment period for the adjusted Commissioner District Plan until Sept 16, 2011. Joseph seconded the motion. The vote was three Ayes.**

Public hearing closed at 4:45 P.M.

**Melinda Myers** – Clerk and Recorder

- Presentation of map for new precinct boundaries.

Bill Paying

**Joseph moved to adjourn at 4:55 P.M. Spearman seconded the motion. The vote was three Ayes.**

Respectfully Submitted,

Melinda Myers Secretary to the Board of County Commissioners

Minutes Approved August 9, 2011

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Chairman of the Board

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Attest

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Commissioner

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Commissioner